CITY OF ELGIN

ORDINANCE NO. 1-1990

AN ORDINANCE REMANDING AND REPLACING THE CITY OF ELGIN, OREGON, PARTITION AND SUBDIVISION ORDINANCE.

WHEREAS, the City of Elgin, Oregon, adopted the Partition and Subdivision Ordinance on January 14, 1977 by Ordinance 5-77

WHEREAS, the 1989 Oregon Legislature adopted SB358 which substantially revises land partitioning and subdividing requirements and which became effective January 1, 1990;

WHEREAS, the Elgin City Council held a preliminary hearing on January 9, 1990, 7:00 p.m. and has advertised and scheduled a hearing for adoption on February 13, 1990, 7:00 p.m., City Hall.

NOW, THEREFORE, THE CITY OF ELGIN ORDAINS AS FOLLOWS:

SECTION 1: ELGIN, OREGON PARTITION AND SUBDIVISION ORDINANCE

A. Elgin, Oregon Partition and Subdivision Ordinance - Ordinance No. 1-1990 is adopted, approved and affixed hereto.

B. Ordinance 5-77 - Partition and Subdivision Ordinance Elgin, Oregon, is remanded and replaced by Part A. of this Section 1.

SECTION 2: EFFECTIVE DATE

The above Section 1. A. & B. will be in full force and effect on February 13, 1990.

PASSED AND ADOPTED this 13th day of February, 1990 by ( ) City Council members voting therefore.

Floyd Galt
CITY RECORDER

MAYOR

Juanita Clum
CITY COUNCIL MEMBER

O. L. Rogers
CITY COUNCIL MEMBER

Clayton R Breckon
CITY COUNCIL MEMBER

Pat McMullen
CITY COUNCIL MEMBER

Sharon M. Stoner
CITY COUNCIL MEMBER

CITY COUNCIL MEMBER

ORDINANCE NO. 1 - 1990

AN ORDINANCE ESTABLISHING SUBDIVISION AND PARTITION REGULATIONS FOR THE CITY OF ELGIN, OREGON

Section 1: TITLE. This ordinance shall be known as the Subdivision and Partition Ordinance of the City of Elgin, Oregon.

Section 2: PURPOSE. The purpose of this ordinance is to allow for the orderly and economic development of land under the jurisdiction of the City of Elgin, Oregon. The ordinance provides rules, regulations, and standards to govern the approval of subdivisions and partitions. The ordinance is intended to insure adequate provision for traffic movement, light and air, water supply, sewerage, drainage, and community facilities, and in general to protect the public health, safety and welfare.

Section 3: APPROVAL OF SUBDIVISIONS AND PARTITIONS. All subdivisions, partitions, and streets or ways created for the purpose of partitioning land shall be approved by the City Council in accordance with these regulations. A person desiring to subdivide land, partition land or create a street or way for the purpose of partitioning, shall submit tentative plans and final documents for approval as provided in this ordinance and in the State law.

Section 4: DEFINITIONS.

1. Building. A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

2. Building Line. A line on a plat indicating the limit beyond which buildings or other structures may not be erected.

3. City. City of Elgin, Oregon, or that person authorized by the Council to act on behalf of the City.

4. Council. Elgin City Council.

5. Comprehensive Plan. Any plan or plans adopted by the City Council for the guidance of growth and improvement of the City. Such plan(s) may include land use, transportation, public facilities and services, and similar

elements, any of which may be adjusted from time to time to meet changing conditions or unanticipated problems and conditions affecting the public or land owners.

6. Developer. Property owner or authorized representative thereof partitioning or subdividing land.

7. Easement. A grant of the right to use a strip of land for specific purposes.

8. Frontage. All of the property abutting a street.

9. Lot. A unit of land that is created by a subdivision of land.

10. Lot, double frontage. A lot having frontage on two parallel or approximately parallel streets other than alleys.

11. Major Partition. A partition creating two or three parcels, and which includes the creation of a road or street, i.e., utilization of a means of access not previously approved for partitioning or subdividing.

12. Minor Partition. A partition creating two or three parcels, and which does not include the creation of a road or street, or utilization of a means of access not previously approved for partitioning or subdividing.

13. Parcel. A unit of land that is created by a partitioning of land.

14. Partition Land. To divide an area or tract of land into two or three parcels of land within a calendar year, but does not include the following:

a. A division of land resulting from lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots;

b. An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment is not reduced below the minimum lot size established by an applicable zoning ordinance; or

elements, any of which may be adjusted from time to time to meet changing conditions or unanticipated problems and conditions affecting the public or land owners.

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elements, any of which may be adjusted from time to time to meet changing conditions or unanticipated problems and conditions affecting the public or land owners.

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a. A division of land resulting from lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots;

b. An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment is not reduced below the minimum lot size established by an applicable zoning ordinance; or

c. A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right-of-way purposes provided that such road or right-of-way complies with the applicable comprehensive plan and ORS 215.213 (2) (q) to (s) and 215.283 (2) (p) to (r).

15. Partition Plat. Includes a final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a major or minor partition.

16. Partitioner. Any person commencing proceedings under this ordinance to effect a partition of land hereunder for himself or for another.

17. Pedestrian Way. A dedicated right-of-way or easement for pedestrian traffic.

18. Person. An individual, firm, partnership, corporation, company, association, syndicate, or any legal entity, and including any trustee, receiver, assignee, or other similar representative thereof.

19. Planning Official. The Council or that official designated by the City Council to administer this ordinance or parts thereof.

20. Plat. A final subdivision plat, replat or partition plat.

21. Replat. A final map of the reconfiguration of lots and easements of a recorded subdivision or partition plat and other writings containing all the descriptions, locations, specifications, dedications and provisions and information concerning a recorded partition or subdivision.

22. Reserve Strip. A narrow strip of land adjacent to a right-of-way dedicated to exclusive vehicular ingress or egress from the right-of-way. Also called street plugs.

23. Right-of-way. The area between boundary lines of a street or other easement.

24. Roadway. The portion or portions of a street right-of-way developed for vehicular traffic.

25. Sidewalk. A pedestrian walkway with permanent surfacing.

26. Street. A public or private way which is used or intended to provide ingress or egress to one or more lots, parcels, areas or tracts of land, excluding a private way that is created to provide ingress or egress to such land in conjunction with forestry, mining or agricultural uses.

a. Alley. A narrow street through a block primarily for access by service vehicles to the back or side of properties fronting on another street.

b. Arterial. A street of considerable continuity which is primarily for inter-communication between large areas, and identified as an arterial street in the comprehensive plan.

c. Collector. A street supplementary to the arterial street system and a means of inter-communication between this system and smaller areas; used partly by through traffic and partly for access to abutting properties, and identified as a collector street in the comprehensive plan.

d. Cul-de-sac (dead end street). A short street with one end open to traffic and the other terminated by a vehicle turnaround.

e. Half Street. A portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision.

f. Marginal Access Street. A cul-de-sac street, driveway, lane or frontage road, generally providing access to a limited number of abutting lots.

g. Minor Streets. A street used primarily for access to abutting lots, and having greater anticipated traffic demands than marginal access streets.

27. Subdivide Land. To divide land into four or more lots within a calendar year.

28. Subdivider. Any person commencing proceedings under this ordinance to effect a subdivision of land herein for himself or for another.

29. Subdivision. Either an act of subdividing land or an area or tract of land subdivided.

30. Tentative Plan. That drawing and related material submitted as a preliminary plat by a subdivider or partitioner.

Section 5: SCOPE OF REGULATIONS.

1. This ordinance shall be applicable to creation or adjustment of all lots and parcels.

2. Partition and subdivision plats, and streets and ways created for the purpose of dividing land shall be approved by the City in accordance with these regulations prior to the sale of any such lot or parcel. All changes in property boundary lines shall be in accordance with these regulations.

3. A person desiring to subdivide or partition land within the incorporated area of the City shall submit tentative plans and final documents for approval as provided in this ordinance and State law.

4. Recording of a lot or parcel. No lot or parcel created by subdividing or by major or minor partitioning shall be submitted for recording with the Union County Clerk nor have any validity unless it has been approved as required by this ordinance.

5. No person shall dispose of transfer or sell, any lot in any partition or subdivision with respect to which approval is required by this ordinance.

In negotiating to sell a lot in a subdivision or convey any interest in a parcel in any partition a person may use the approved tentative plan for such subdivision or partition.

6. Permits. No building permit, or permit for the connection to a water or a sewage disposal system shall be issued for any structure on a parcel or lot in a partition or subdivision for which the tentative plan or plat has not been approved and recorded in a manner prescribed herein.

7. The City will withhold all public improvements, including maintenance of streets and roads, from a partition or subdivision which has not been approved and recorded in the manner prescribed herein.

APPLICATION AND TENTATIVE PLAN

Section 5A: APPLICATION. A partitioner or subdivider shall submit an application on forms provided by the City accompanied by a tentative plan showing the general design of the proposed subdivision or partition accompanied by the prescribed fee.

Section 5B: SUBMISSION OF TENTATIVE PLAN. The partitioner or subdivider shall prepare a Tentative Plan, together with improvement plans and other supplementary materials as specified in this ordinance. The partitioner or subdivider shall submit five (5) copies of the Tentative Plan to the Planning Official at least fifteen (15) days prior to the City Council meeting at which the tentative plan will be considered. The tentative plan need not be a finished drawing as required for a final plat, but it should show all pertinent information to scale in order that the Council may properly review the proposed development. Upon receipt of the tentative plan the City Recorder shall schedule a public hearing before the Council to review, accept testimony, deliberate and make a decision on the tentative plan. The City Recorder shall give notice ten days prior to the public hearing to affected agencies, interested persons and adjacent landowners within 300 feet of the external property boundaries.

Section 6: SCALE. The tentative plan shall be drawn on a sheet 18 by 24 inches in size at a scale of one inch equals 100 feet.

Section 7: GENERAL INFORMATION. The following general information shall be shown on the tentative plan:

1. Proposed name of a subdivision shall not duplicate, sound alike or resemble the name of another subdivision in the County and shall be approved by the Council.

2. Date, northpoint and scale of drawing.

3. Appropriate identification clearly stating the map is a tentative plan.

4. Location of the partition or subdivision sufficient to define the location and boundaries of the proposed tract.

5. Names and addresses of the owner, partitioner or subdivider, and engineer or surveyor.

Section 8: EXISTING CONDITIONS. The following existing conditions shall be shown on the tentative plan:

1. The location, widths and names of both opened and unopened streets within or adjacent to the tract, together with easements and other important features, such as section lines, corners, city boundary lines and monuments.

2. Contour lines having the following minimum intervals: Two foot contour intervals for ground slopes of less than 10 percent, and 10 foot contour lines for slopes of more than 10 percent. The elevations of all control points which are used to determine the contours shall be indicated and must be the United States Geodetic Survey.

3. The location within the partition or subdivision and in the adjoining streets and property of existing sewers, water mains, culverts, drain pipes, and electric lines proposed to service the property.

4. Zoning within and adjacent to the tract.

Section 9: PROPOSED DESIGN. The following information shall be included on the tentative plan:

1. The location, width, names, approximate grade of all streets. The relationship of all streets to any projected streets as shown on any plan adopted by the City, or, if no such plan has been adopted, as may be identified by the City Council in order to assure adequate traffic circulation.

2. The location, width and purpose of easements.

3. The location and approximate dimensions, and proposed parcel or lot numbers of all parcels and lots and block numbers or letters of all blocks.

Section 11: PARTIAL DEVELOPMENT. Where the plat contains only part of the tract owned or controlled by the developer, the City Council may require a sketch of a tentative layout for streets in the unpartitioned or unsubdivided portion.

Section 12: SUPPLEMENTARY INFORMATION WITH TENTATIVE PLAN. The following information shall be required by the City and, if it can not be shown practicably on the tentative plan, it shall be submitted in separate statements accompanying the tentative plan:

1. A vicinity map, showing existing adjacent ownership to the proposed partition or subdivision, and showing how proposed streets and utilities may be extended to connect to existing and proposed streets and utilities.

2. Proposed deed restrictions, if any, in outline form.

3. Improvements to be made by the developer and the approximate time such improvements are to be completed. Sufficient detail regarding proposed improvements shall be submitted so that they may be checked for compliance with City-approved standards, and with the objectives of this ordinance, State laws, and other applicable City Ordinances. If the nature of the improvements is such that it is impractical to prepare all necessary details prior to the approval of the Tentative Plan, the additional details shall be submitted at least thirty (30) days prior to the time approval of the final plat is requested.

4. All persons offering for filing an approved plan, plat or replat of subdivisions or partitions for a parcel of land outside the boundaries of an irrigation district, drainage district, water control district, or district improvement company must file a statement of water rights. If a water right is appurtenant to the lands of the subdivision or partition the statement of water rights and a copy of the plan, plat, or replat must be submitted to the Oregon Water Resources Department. A copy of the acknowledgment from the Water Resources Department must be submitted with the plan, plat, or replat to the Union County Clerk.

Section 12A: SUPPLEMENTAL PLANS WITH TENTATIVE PLAN. The following information shall be submitted with the tentative plan:

1. Proposed street designation, e.g., arterial, collector, etc., and approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed partition or subdivision showing the

approximate grade of streets and the nature and extent of street construction.

2. A plan for domestic water supply, including the source, and plans for water lines.

3. Proposals for sewage disposal, storm water drainage and flood control, including profiles of proposed drainage ways.

4. Proposals for other improvements such as television cable service, telephone, electric and gas utilities.

5. Present and future service capability of the school district.

6. Such additional information as may be required by the City to insure compliance with the objectives of this ordinance.

Section 13: PRELIMINARY REVIEW OF PROPOSAL. The Planning Official shall within ten (10) days furnish one copy of the Tentative Plans and supplementary material to each local, State or Federal official or agency that may have an interest or responsibility in the proposal. These agencies will be given a reasonable time to review the plan, suggest revisions, and return the plans to the City.

Section 14: CONSIDERATION OF THE TENTATIVE PLAN.

1. At the next available regular City Council meeting following submission of the proposed plat, the City Council shall review the plan and the reports of the officials and agencies listed above. The City Council may approve the Tentative Plan as submitted or as it may be modified. If the City Council does not approve the plan, it shall express its disapproval and its reasons therefore.

2. No plat for any proposed subdivision or partition may be considered for approval until the tentative plan has been approved by the City Council. Approval by the City Council of such tentative plan shall be binding upon the City for the purposes of the preparation of the subdivision or partition plat.

3. No tentative plan for a proposed subdivision and no tentative plan for a proposed major partition shall be approved unless:

a. The streets and roads are laid out so as to conform to the plat of subdivisions and major partitions already approved for adjoining property as to width, general direction and in all other respects unless the City determines it is in the public interests to modify the street or road pattern.

b. Streets and roads held for private use are clearly indicated on the tentative plan and all reservations or restrictions relating to such private roads and streets are set forth thereon.

c. The tentative plan complies with the applicable zoning ordinance and regulations that are then in effect.

4. The action of the City Council shall be noted on two copies of the Tentative Plan, including reference to any attached documents describing conditions imposed by the Council, The City Council shall return one copy to the developer and retain the other.

FINAL PLAT

Section 15: SUBMISSION OF FINAL PLAT. Within one (1) year after approval of the Tentative Plan, the developer shall cause the partition or subdivision or any part thereof to be surveyed and a Final Plat prepared in conformance with the Tentative Plan as approved. Upon completion of improvement requirements, the developer shall submit the original and five prints of the Final Plat, and any supplementary information to the Planning Official. If the developer wishes to proceed with the partition or subdivision after the expiration of the one-year period following the approval of the Tentative Plan by the Council, he must resubmit his Tentative Plan to the Council and make any revisions which the Council considers necessary to meet changed conditions.

Section 16: FINAL PLAT REQUIREMENTS. The final plat, known as the partition plat or subdivision plat, shall conform to surveying requirements in ORS 92.050 through 92.080, except any parcels created that are greater than 10 acres need not be surveyed or monumented. In addition to specific action in Oregon Revised Statutes, the following information shall be shown on the final plat:

1. The date, scale, northpoint, explanation and controlling topography such as bluffs, creeks, and other bodies of water, and existing features such as highways and railroads.

2. Legal description of the tract boundaries.

3. Name of the owner, partitioner or subdivider and surveyor.

4. The exact location and width of streets and easements intersecting the boundary of the tract.

5. The width of the portion of streets being dedicated, with the width of any existing right-of-way, and the width on each side of the center line. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.

6. Lot numbers beginning with the number 1 and numbered consecutively in each block, and the area of each lot containing one acre or more to the nearest hundredth of an acre.

7. Block letters beginning with letter A and continuing consecutively without omission or duplication throughout a subdivision. The letters shall be solid, of sufficient size and thickness to stand out and be so placed as not to obliterate any figure. Block letters in an addition to a subdivision of the same name shall be a continuation of the lettering in the original subdivision.

8. Land parcels to be dedicated for any purpose, public or private, to be distinguished from lots intended for sale.

9. Building setback lines, if any, are to be made a part of the partition or subdivision restrictions.

10. The following certificates which may be combined where appropriate:

a. A certificate signed and acknowledged by all parties having any record title interest in the land partitioned or subdivided, consenting to the preparation and recording of the plat.

b. A certificate signed and acknowledged as above, dedicating all rights-of-way, parcels or lots of land shown on the final map intended for any public use. Streets and roads for public use are dedicated without any reservation or restriction other than reversionary rights upon vacation.

c. An affidavit signed by the registered surveyor responsible for the land survey and final map per ORS 92.070.

d. Other certifications now or hereafter required by law.

Section 17: SUPPLEMENTARY INFORMATION WITH FINAL PLAT. The following data shall accompany the final plat:

1. A preliminary title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises.

2. Certification that domestic water and sewage disposal systems are available to the lot line of each and every lot in a subdivision and assurance by the subdivider the systems will be installed, or alternative systems will be provided according to ORS 92.090 (4) and (5) provisions.

3. A copy of any deed restrictions applicable to the partition or subdivision.

4. A certificate by the City that the partitioner or subdivider has complied with one of the following alternatives:

a. All improvements have been installed in accordance with the requirements of these regulations and with the action of the Council in giving approval of the tentative plan, or

b. An agreement has been executed as provided in Sections 30A and 30B to assure completion of required improvements.

Section 18: TECHNICAL REVIEW. Upon receipt by the City, the final plat and other accompanying data shall be reviewed by the Planning Official. The Planning Official may make such checks in the field as are necessary to verify that the plat is correct, and City representatives may enter the property for this purpose. Certification by the County Surveyor shall be used to determine that the plat and survey are technically correct. The Planning Official shall review the final plat and documents to determine the following:

1. Private streets and roads conform to the tentative plan.

2. Subdivision or partition plat conforms with any applicable zoning ordinances and regulations that are in effect.

3. Donation and explanation of common improvements are recorded and referenced on the partition or subdivision plat.

4. The final plat conforms with the approved tentative plan.

5. Compliance with other provisions of Oregon Revised Statutes and this Ordinance.

Section 19: APPROVAL OF FINAL PLAT. If the Planning Official determines that the final plat conforms fully with all applicable regulations and standards, he shall so advise the Mayor. The final plat shall then be placed on the next feasible Council agenda, and if the Council agrees that the partition or subdivision has complied with the requirements for tentative plan and final plat approval, it shall be approved and signed. If the City Council does not approve the plat, it shall advise the developer of the changes or additions that must be made and shall afford him an opportunity to make the necessary changes. Approval shall be indicated by signature of the Mayor.

Section 20. BEFORE RECORDING PARTITION OR SUBDIVISION PLAT WITH COUNTY CLERK.

1. Petitioner or subdivider shall file a statement of water rights with the Water Resources Department and a copy of acknowledgment from the Water Resources Department when required and per provisions in ORS 923.120(5) and 92.122.

2. All ad valorem taxes shall be paid per ORS 92.095.

3. The partitioner shall submit the final plat for approval by the County Surveyor per ORS 92.100 (3) provisions. The County Surveyor shall collect from the partitioner a fee of $100 plus $5.00 for each parcel in the partition.

4. The subdivider shall submit the final plat for approval by the County Surveyor, County Assessor and City Council before recording with the County Clerk per ORS 92.100 (1) and (2). The subdivider shall pay the County Surveyor per the same fee schedule in (3) above.

Section 21. RECORDING PARTITION OR SUBDIVISION PLAT WITH COUNTY CLERK.

The partition or subdivision plat when approved as required and upon payment of the fees provided by law shall be recorded with the County Clerk. Approval of the final plat shall be null and void if the plat is not recorded within 30 days after the date the last required signature has been obtained or within 90 days after Council approval.

Section 22. AMENDMENTS TO RECORDED PARTITION AND SUBDIVISION PLATS.

1. Any recorded partition or subdivision plat may be amended by an affidavit of correction per ORS 92.170 provisions.

2. Any recorded partition or subdivision plat may be replatted per ORS 92.180 through 92.190 provisions.

3. Any boundary of lots or parcels in a recorded subdivision or partition plat may be adjusted as long as no new parcels or lots are created, the adjustment does not reduce a lot or parcel below the minimum parcel size of the applicable zone(s), and each adjusted boundary is surveyed and filed with the County Survey and recorded with the County Clerk.

APPROVAL OF STREETS AND WAYS

Section 23: CREATION OF STREETS NOT WITHIN A SUBDIVISION.

1. Creation of Streets. The creation of all streets not within a subdivision shall meet the standards for streets within a subdivision. Creation of such streets may be initiated by the Council or County Court by resolution or by property owner or his authorized agent by request.

2. Any person wishing to create a public or private road or utilize an existing private road for purposes other than agriculture, forestry or mining, shall make written application for consideration by the Council.

3. Application for road approval shall comply with applicable tentative plan and final plat procedures and standards as provided in this ordinance.

4. Once road improvements are completed, or performance bonds have been approved for such, a centerline survey, deed, and a description of the proposed right-of-way shall be submitted to the Council. Deeds shall have the signatures of all owners of property to be dedicated.

5. Upon final approval by the Council, and recording of the survey and deed, final plat partition or subdivision procedures can be completed.

6. Expiration times for approval to create roads shall be the same as for tentative plans and final plats.

Section 24: CREATION OF WAYS. Streets providing access to allow the partitioning of land shall conform to the standards for streets in a subdivision, except that a private easement of way may be established without full compliance with these regulations. Such way may be approved by the Council if it is the only reasonable method by which a parcel or parcels may be provided with access. A copy of the proposed document to create the easement shall be submitted to the Council at least 15 days prior to the Council meeting at which consideration is requested. The document and such information as may be submitted shall be reviewed by the Council and, if assurances of adequate utility access as well as vehicular access is provided, the request may be approved.

DESIGN STANDARDS

Section 26: PRINCIPLES OF ACCEPTABILITY. Partitions and subdivisions shall conform to the City Comprehensive Land Use Plan and related ordinances and shall take into consideration anticipated surrounding area development. Partitions and subdivisions shall also conform to the requirements of State Law (particularly ORS Chapter 92), and the standards established by this ordinance.

Section 27: STREETS.

1. General. The location, width and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public utilities, services, convenience and safety, and to the proposed use of the land to be served by the streets. The arrangement of streets in partitions and subdivisions shall either:

a. Provide for the continuation or appropriate projection of existing principle streets in surrounding areas; or

b. Conform to a plan for the neighborhood approved or adopted by the Council.

2. Minimum right-of-way and roadway widths. The widths of streets and roadways in feet shall be adequate to fulfill City specifications as provided for in this ordinance and unless otherwise indicated in the Comprehensive Plan, shall not be less than the minimum shown in the following table:

Type of Street	Minimum Right-of-way	Roadway
Arterials	80	44
Collector	60	40
Minor streets	60	40
Cul-de-sac streets less than 800 feet in continuous length	50	36
Radius for turn-around at end of cul-de-sac	45	30
Alleys	20	20

Where existing conditions, particularly the topography or size and shape of land parcels, make it otherwise impractical to provide buildable lots, the Council may accept a narrower right-of-way than indicated above. If necessary, slope easements may be required.

3. Marginal access. Marginal access rights-of-way or private access easements shall not be less than 10% of street length, and shall be provided with utility easements on each side to provide a 50 foot combined utility easements and access right-of-way width.

4. Reserve strips. Reserve strips or street plugs controlling the access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights. The control and disposal of the land comprising such strips shall be placed within the jurisdiction of the Council.

5. Alignment. So far as practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections shall wherever practical leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction, and otherwise shall not be less than 125 feet.

6. Intersection angles. Streets shall be laid out to intersect at angles as near to right angles as practical except where topography requires a lesser angle, but in no case shall the acute angle be less than 75 degrees unless there is a special intersection design. The intersection of arterial or collector streets with other arterial or collector streets shall have at least 100 feet of tangent adjacent to the intersection. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection. Intersections which contain an acute angle of less than 75 degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line.

7. Existing streets. When existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of partitioning or subdividing.

8. Half streets. Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the partition or subdivision, when in conformity with the other requirements of these regulations, and when the Council finds it will be practical to require the dedication of the other half when the adjoining property is partitioned or subdivided. When a half street is adjacent to a tract to be partitioned or subdivided, the other half of the street shall be platted within such tract. Reserve strips and street plugs may be required to preserve the objectives of half streets. No parcels or lots shall be allowed to develop on the half street until the remaining half of the street is dedicated and improved as provided in this ordinance.

9. Cul-de-sacs. A cul-de-sac shall be as short as possible and shall have a maximum length of 400 feet and serve no more than 18 single-family dwellings. A cul-de-sac shall terminate with a turn-around.

10. Street names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of existing streets. Street names and numbers shall conform to the established pattern in the City and shall be subject to the approval of the Council.

11. Grades and curves. Center line radii of curves shall not be less than 300 feet on arterials, 200 feet on collectors, or 100 feet on other streets, and shall be to an even 10 feet. In flat areas allowance shall be made for finished street grades having a minimum slope, preferably, of at least 0.3 %.

12. Streets adjacent to railroad right-of-way. Wherever the proposed partition or subdivision contains or is adjacent to a railroad right-of-way, provision may be required for a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow vegetative screen planting along the railroad right-of-way.

13. Alleys. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are approved by the Council. The corners of alley intersections shall have a radius of not less than 12 feet. Alleys shall have a 20 foot road and right-of-way width.

Section 28: BLOCKS.

1. General. The length, width and shape of blocks shall take into account the need for adequate lot size and street width.

2. Size. No block shall be more than 1,000 feet in length between street corner lines unless it is adjacent to an arterial street or unless the location of adjoining streets justifies an exception.

3. Easements.

a. Utility lines. Easements for sewers, water mains, electric lines, or other public utilities shall be provided whenever necessary. The easements shall be at least 12 feet wide or as otherwise approved by the City.

b. Water courses. If a partition or subdivision is traversed by a water course such as a drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the water course, and such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses may be required.

c. Pedestrian Ways. When desirable for public convenience, pedestrian ways may be required to connect cul-de-sacs or to pass through unusually long or oddly shaped blocks. It shall be the responsibility of the developer to install four-foot minimum sidewalks where pedestrian ways are required.

d. Emergency Vehicle Access. When necessary or desirable for public safety, emergency vehicle ways may be required to connect to cul-de-sacs or to pass through unusually long or oddly shaped blocks.

Section 29: LOTS.

1. Size and shape. Lot size, shape and orientation shall be appropriate for the location of the partition or subdivision and for the type of use contemplated. No lot shall be dimensioned to contain part of an existing or proposed street. Lot dimension and areas shall conform to the zoning and land use requirements.

2. Access. Each lot shall abut upon a street other than an alley for a minimum width of at least 20 feet.

3. Lot side lines. The side lines of lots, so far as practicable, shall run at right angles to the street upon which the lots face, or on curved streets shall be radial to the curve where practical.

Section 30: BUILDING LINES. If special building setback lines are to be established in the partition or subdivision, they should be shown on the partition or subdivision plan or included in the deed restrictions.